

Applicant : Olaf Moeller et al.
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Attorney's Docket No.: 12754-116001 / 2001P07429US

REMARKS

Claims 1-15 are pending. Claims 1-15 have been amended. The specification has been amended to provide consistent language. No new matter has been added. Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

Claims 1-5 and 10-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,253,254 ("Roberts").

Claim 1, as amended, recites receiving and dividing a combined clock-data stream into an independent clock stream and an independent data stream.

The independent data stream is synchronized to a second clock domain for processing by a framer array. The independent clock stream is divided from the combined clock-data stream and a timing of the independent clock stream according to a first clock domain is preserved during the processing of the independent data stream by the framer array. The second clock domain is different from the first clock domain.

Roberts fails to disclose several aspects of claim 1.

First, Roberts fails to disclose receiving one or more combined clock-data streams according to a first clock domain. Instead, Roberts discloses receiving separate SERIAL DATA and SERIAL CLOCK signals, as shown in FIG. 3.

Second, Roberts fails to disclose preserving a timing of an independent clock stream according to the first clock domain during processing of the independent data stream by the framer array (in the second clock domain). While Roberts discloses processing of a data stream by an aligner 42 (FIG. 3), Roberts fails to disclose that a timing of the CLOCK OUT signal preserves a timing of the SERIAL CLOCK signal. *See* MPEP 2163.07 - "To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999). Claim 1 is, therefore, allowable over Roberts.

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Claims 2-5 depend from claim 1 and are allowable for at least the reasons set forth with claim 1.

Claim 10, as amended, recites "the plurality of clock paths preserve the clocks according to the first clock domain during a time that context is loaded and stored for the data portions". Claim 10, and the claims that depend therefrom, are allowable over Roberts for similar reasons as set forth with claim 1.

Claims 6-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,104,770 ("Yama").

Yama fails to disclose several aspects of claim 6.

First, Yama fails to disclose means for processing the plurality of independent data streams in a second clock domain, in which a timing of the plurality of independent clock streams are preserved according to the first clock domain during the processing of the plurality of independent data stream, as recited in claim 6. Rather, Yama discloses converting the BIT CLOCK BC signal (FIG. 2) into a WORD CLOCK WC signal during processing of Yama's data stream (see Col 7, ll. 18-27).

Second, Yama fails to disclose means for recombining corresponding ones of the plurality of independent clock data streams and the plurality of independent data streams to form a plurality of recombined clock-data streams. It is clear from FIG. 2 of Yama, that the PARALLEL DATA PD signal is independent from the WORK CLOCK WC signal.

Third, Yama fails to disclose means for re-synchronizing the plurality of recombined clock-data streams to the first clock domain. Not only does Yama fail to disclose a recombined clock-data stream (as discussed above), Yama does not provide any teachings for re-synchronizing a recombined clock-data stream to the first clock domain.

The applicant respectfully submits that claim 6 is allowable over Yama.

Claims 7-9 depend from claim 6 and are allowable over Yama for at least the reasons set forth with claim 6.

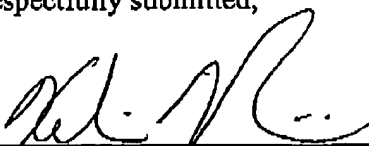
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Respectfully submitted,

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